



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 North Lowell Rd., Windham, New Hampshire 03087

(603) 432-3806 / Fax (603) 432-7362

www.WindhamNH.gov

Planning Board Approved Minutes

Wednesday, July 13, 2016

7:00pm @ Community Development Department

Attendance:

Chairman Paul Gosselin, present

Margaret Crisler, present

Dan Guttman, present (arrived at 7:11pm)

Kathleen DiFrusia (alternate), excused

Matt Rounds (alternate), present (arrived at 7:05pm)

Gabe Toubia (alternate), excused

Ross McLeod, Board of Selectmen representative, excused

Jennifer Simmons, Board of Selectmen alternate-present

Vice Chair Kristi St. Laurent, present

Alan Carpenter, excused

Ruth-Ellen Post, present

Mr. Rounds is seated for Mr. Carpenter.

Staff:

Laura Scott, Community Development Director

Anitra Brodeur, Minute Taker

Impact Fees

- School and Public Safety Impact Fees
 - o Review of current methodologies
 - o Review of collected fees
- Workshop on proposed Recreation Impact Fees

Mr. Roger Hohenberger, Selectman, addressed the Board. Mr. Hohenberger reviewed the School Impact Fees-2016 Power point presentation. The impact fee is linked to new growth. It is unclear in what way the town will grow in relation to potential approved projects that the voters may or may not approve. All 55+ housing is still exempt from school impact fees.

Mr. Guttman arrived at 7:11pm.

Mr. Hohenberger referenced Bruce Mayberry's study done in 2008 for Recreation Impact fees. Mr. Hohenberger reviewed his Power point presentation of the Recreational Impact Fees-2016. Most of the cost for recreation is in the maintenance of the fields. For example, people other than children use a lot of the amenities at places like Griffin Park but the cost of maintaining the park is largely the use of the fields, which are mostly used by children. Also, Mr. Mayberry stated and Mr. Hohenberger agreed that a lot of the land has been donated to the town; it was not taxpayer dollars that paid for the property. Hence, you cannot charge an impact fee for a piece of property gifted to the town.

Mr. Hohenberger stated that the most credible way to measure cost to the town is Column C (Excluding Land Acquisition, Facility Cost Method) The bond for the high school track should be included in the school

impact fees since students will largely use it. Mr. Hohenberger reminded the Board that if the money is not used, it must be given back. He also reminded the Board that it must be used for new growth.

Ms. Crisler continues to feel strongly about a recreational impact fee for residents. She would like to see Windham prepare for the houses that are being built.

Mr. Guttman mentioned that the use of certain fields and facilities ebb and flow regardless of whether or not the population is growing.

Mr. Mark Lucas, Recreation Committee, addressed the Board. The impact fee money cannot be used to create a park like Spruce Pond; it can be used to expand Griffin Park but that cannot be done due to space constraints. Impact fees cannot be charged for donations.

Ms. Cheryl Haas, Recreation Coordinator, addressed the Board. She stated that participation in team sports is not going up. There is the same number of participants; the usage of those teams may have increased slightly.

Ms. Laura Scott stated that there were no more than 100 Certificates of Occupancy for new homes given each year.

In relation to the use of recreation impact fees, a community has to be able to prove that the development of a field was done as a result of new development.

The departments have not quantified the cost of administrative time. If recreation impact fees were going to be developed, they would need to be recalculated based on recent numbers. There would need to be a methodology to develop the calculation of the new fee, as the numbers on the presentation are several years old.

Chairman Gosselin does not feel the need to add a recreation impact fee as it is likely it will need to be given back 6 years hence.

Ms. Crisler questions if Windham is really “built out” as that has been said for many years. She does see a way to justify the development of Spruce Pond with Impact Fees.

Mr. Guttman stated that it is difficult to know what justifiable demand is.

The amount that the town collects must be justified. Only the portion of the project that is for new growth can be developed and paid for with impact fees.

Ms. Scott stated the School Impact Fees can be easier to calculate based on population growth and can be paid for with impact fees. Most towns do not have a recreational fee; yet, those that have fees often have a long-term plan with a lot of infrastructure like pools, parks, etc.

Ms. Scott also referenced the Financial Summary of Public Safety and School Impact fees collected over the last few years.

Police Chief Jerry Lewis addressed the Board. He asked if a town could suspend the collection of impact fees. The Board discussed a few other alternatives to impact fees: the applicant may have the money returned; the applicant can apply for a variance; or, the applicant can pay for a Fire Impact Fee only if the methodology was changed. The “pause” button would start the clock over and would not be advisable at this time.

Ms. Crisler mentioned the transfer station. She asked about an impact fee for solid waste management and it was determined not to address the transfer station at this time. Ms. Crisler would like to thank Mr. Hohenberger for his time developing the calculation of the School Impact Fees and his work on the Recreation Impact Fee.

Master Plan Workshop – Community Facilities Chapter

Ms. Scott stated that the school facilities would be added to the chapter. Goals and Objectives are not contained in the chapter. Ms. Post stated that the Goals and Strategies would also be essential to identify in this chapter. The Chapter is a great report, but perhaps the plan of the chapter also needs to be expanded.

There are planned expansions in town that will warrant a careful analysis of the manner in which the town would like to grow. The document reads in a “dated” fashion; the Board asked that the language be updated slightly. The Planning Board is looking for a document that speaks to 2026. The town may have goals around these potential expansions but it is ultimately up to the voters.

Public Hearings

Site Plan Regulations

A public hearing is to be held in accordance with NH RSA 675:6 (Method of Adoption), to adopt amendments to the existing Site Plan Regulations, as allowed under NH RSA 674:43 (Power to Review Site Plans) and NH RSA 674:44 (Site Plan Review Regulations). Amendments to the Site Plan Regulations are for the following Sections: Exempted Uses Sections 302.6, 302.7 and 302.8; Minor Site Plan/Change of Use Section 303.3.9.1; Definitions Section 400 “Expansion of Use”; General Standards Section 512 and 513; and Waiver Process Section 804.4.

A motion was made by Ms. Crisler to open the public hearing on Site Regulations at 8:20pm. Seconded by Mr. Guttman. Vote 7-0. Motion passes.

The Board discussed the change in language in 303.3.9. Both the Board and Mr. Campbell stated at the June 2nd meeting that they would like to see the language remain. The language is a bit awkward, yet accurate to comply with the correct criteria. The Board would like to add the word “a” to the beginning of 303.3.9.1 and add “an” to the beginning of 303.3.9.4.

The public hearing was opened and closed to the public by Chairman Gosselin at 8:35pm.

A motion was made by Mr. Rounds to approve the Site Plan Regulations as amended. Seconded by Ms. Crisler. Ms. Post would like to note the language is overly complicated.

Vote 6-0-1. Mr. Guttman abstained due to the language in Section 303.3.9.

Design Regulations

A public hearing is to be held in accordance with NH RSA 675:6 (Method of Adoption), to adopt amendments to the existing Design Regulations, as allowed under NH RSA 674:43 (Power to Review Site Plans) and NH RSA 674:44 (Site Plan Review Regulations). Amendments to the Design Regulations are to add Section 713 Village Center and Market Square Residential Design Regulations.

A motion was made by Mr. Guttman to open the public hearing at 8:37pm. Seconded by Ms. Crisler. Vote 7-0. Motion passes.

The Board discussed the design regulations around the windows. The word “shall” should become “should” to give some freedom around suggestions and approval. There should also be parentheses in Section 713.1. 713.2, Districts should be capitalized and Section 713.2.5 should be moved to the last sentence of 713.2.

The public hearing was opened and closed to the public by Chairman Gosselin at 8:44pm.

A motion was made by Mr. Guttman to accept the Design Regulations for Village Center and Market Square as amended. Seconded by Ms. Simmons. Vote 7-0. Motion passes.

Rules of Procedure

Per NH RSA 675:1 notice is hereby given that the Windham Planning Board will hold a public hearing to adopt amendments to “Windham Planning Board Rules of Procedure”. The amendments are to Section 8.4.

A motion was made to open the public hearing by Ms. Crisler at 8:46pm. Seconded by Mr. Guttman. Vote 7-0. Motion passes.

The public hearing was opened and closed to the public by Chairman Gosselin at 8:48pm.

A motion was made by Mr. Guttman to approve the Windham Planning Board Rules and Procedures as amended. Seconded by Ms. Simmons. Vote 6-0-1. Mr. Rounds abstained.

Meeting Minutes – Review and Approve

Ms. Crisler made a motion to approve the June 8th meeting minutes as presented. Seconded by Mr. Rounds. Vote 7-0. Motion passes.

Ms. Crisler made a motion to approve the June 15th meeting minutes as amended. Seconded by Mr. Rounds. Vote 5-0-2. Motion passes. Mr. Rounds and Ms. Simmons abstained.

Other Discussions

- Update on VCD and PBT Property Owner Meetings

Ms. Scott summarized an hour-long meeting among the property owners regarding where potential connections could go. Another potential property owner connection came up between the Searles School and Chapel and Delahunty’s Nursery. There are no “takings” by the town on any of these properties. There was discussion about potential connections and beautification around the town. All notes were given to all property owners. The DOT essentially did the tie in the other property owners in the Gateway district as they have already been connected. Mr. McCarthy, property owner, is not putting barriers in the logical places for potential connections in the VCD.

- 2017-2024 CIP Request

The Board discussed if they wanted to request any items. If the item cannot be evidenced, then it may not be necessary to put this forth as an item. The threshold for CIP will not be met. A functioning Master Plan is essential to charge accurate impact fees. There will need to be more specificity around what the development of the Master Plan would be. Also, there would be an RFP template that would be used in order to submit the request. The earlier this happens, the better. Proposals will be submitted and a selection will be made if the funds are approved.

The UNH summer intern will be added to the August 10th Planning Board meeting.

Liaison Reports

- Board of Selectmen (Ross/Jennifer)

The Board supported the posting of positions for the Community Development Director and the Planning Board Director. Both positions will be open until filled. Also, Griffin Park T-shirts are available for \$20; they support Passive Recreation.

- WEDC (Ruth-Ellen)

No update at this time.

- Beautification Committee (Kathleen/Jennifer)

No update at this time.

Master Plan Chapter Status Updates

- Recreation (Dan)

The edits to this chapter have been completed. The Vision and Goals section will not be done. It will be posted to the website.

- Economic Development (Paul)

The Committee is waiting for EDC to make their choices.

- Historic & Cultural Resources (Margaret)

There is a meeting tomorrow night. The HDC and Heritage Commission will also be there. The committee has collected the Historic and Cultural Sections of Master Plans from other towns.

- Natural Resources & Open Space (Dan)

The Conservation Commission Chairman resigned this morning. They are being asked to edit a 40-page chapter that needs updating; it is on the Planning Board calendar for the fall

- Housing (Ruth-Ellen and Jennifer)

The committee met for the first time last night. The next meeting will be at 6:30pm July 26th at the library.

- Transportation (Kristi)

No updates at this time.

- Demographics (Matt)

The committee is working on data sources and the chapter will be ready for the August 10th workshop. Mr. Rounds would like to discuss data sources with the Chair.

Old/New Business

A motion was made by Mr. Rounds to adjourn at 9:27pm. Seconded by Mr. Guttman. Vote 7-0. Motion passes.